

By email only to:

Hefin.Jones@pins.gsi.gov.uk

Ewa.Sherman@pins.gsi.gov.uk

AbergelliPower@pins.gsi.gov.uk

09 November 2018

Dear Hefin

EN010069

Abergelli Power Limited: Proposed gas fired power station at on land adjacent to Felindre Gas Compressor Station, Felindre, Swansea

In accordance with the programme set by the Examining Authority (ExA) in the Rule 8 letter published on 17 October 2018, Abergelli Power Limited encloses the following documents for Deadline 1:

1. The Applicant's Response to Relevant Representations
2. Statement of Common Ground with the City and County of Swansea Council (CCS)
3. Statement of Common Ground (SoCG) with Natural Resources Wales (NRW)
This is a draft SoCG agreed between the parties and which is anticipated to be updated further for Deadline 2.
4. Statement of Common Ground with Dwr Cymru Cyfyngedig/Welsh Water
This is a draft SoCG which has been discussed between the Applicant and Welsh Water, to be updated for Deadline 2. Welsh Water are continuing to review the DCO Application documentation and seek to comment on the matters outlined in the Statement of Common Ground for Deadline 2.
5. Statement of Common Ground with National Grid Electricity Transmission plc
This is a draft SoCG agreed between the parties and which is anticipated to be updated further for Deadline 2.
6. Statement of Common Ground with National Grid Gas Plc
This is a draft SoCG, discussed between the parties but the form of which has not been agreed due to the matters noted in paragraph 4 relating to the gas pipeline planning application. This is therefore the Applicant's draft, which it is anticipated will be updated further for Deadline 2.
7. Initial draft of a Statement of Common Ground with Michael Edwards, this is the Applicant's first draft, which was sent to Loxley Solicitors on 8 November 2018 and which is anticipated to be updated further at Deadline 2.
8. Initial draft of a Statement of Common Ground with Wynne Watkins/Redisplay Limited, this is the Applicant's first draft, which was sent to Loxley Solicitors on 8 November 2018 and which is anticipated to be updated further at Deadline 2.
9. The Applicant's responses to the ExA's First Written Questions including:
Appendix 7: No Significant Effects Report (Revision 1)
10. Written Summary of the Applicant's Oral Case put at the first Issue Specific Hearing including:
Appendix 5: Outline Construction and Environmental Management Plan (Revision 1)

Abergelli Power 49 York Place Edinburgh EH1 3JD Tel: 0131 550 3380

In addition to the above, Abergelli Power Limited also encloses:

11. Updated draft Development Consent Order
12. Schedule of changes to the draft Development Consent Order
13. Updated Outline Landscape and Ecology Mitigation Strategy (Revision 1) to include updates in response to relevant representations from CCS and NRW as outlined in Annex 2 to this letter.
14. Updated Outline Drainage Strategy (Revision 1) to include the updates outlined in Annex 3 to this letter.
15. Updated Guide to the DCO Application Documents (Annex 1 of this letter) which was submitted as part of the DCO Application.

We look forward to hearing further from you in due course and please do not hesitate to get in touch with any queries.

Yours Sincerely

Kirstin Gardner
Abergelli Power, Project Manager

Annex 1: Table 1 Guide to the DCO Application Documents

This table provides a guide to all documents submitted as part of the Abergelli Power DCO Application. This table is a live document and will be updated when new or revised documents are submitted to the Planning Inspectorate, to provide a record of the latest version of all documents.

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Category 1 Application Form							
1.1.0	Introduction to Applicant and the Application (including document index)	Reg. 5(2)(q)		0			
1.1.1	Introduction to Applicant and the Application (including document index) (Welsh Translation)	Reg. 5(2)(q)		0			
1.2	Application form	Reg. 5(1) and S.37(3)(b) PA 2008		0			
1.3	Copies of newspaper notices	Reg. 5(2)(q) Reg 5(1) APFP		0			
1.4	Project Glossary	Reg 5(2)(q)		0			
Category 2 Plans / Drawings / Sections							

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2.1	Location Plan	Reg. 5(2)(o)		-			
2.2	Land Plans	Reg. 5(2)(i)					
	(Sheet 1 of 2) Land Plan	Reg. 5(2)(i)		B			
	(Sheet 2 of 2) Land Plan	Reg. 5(2)(i)		B			
2.3	Works Plans						
	(Sheet 1 of 2) Works Plan	Reg. 5(2)(j)		E			
	(Sheet 2 of 2) Works Plan	Reg. 5(2)(j)		-			
	Work No. 1A ¹	Reg. 5(2)(j)		-			
	Work No. 1B ²	Reg. 5(2)(j)		-			
	Work No. 1C ²	Reg. 5(2)(j)		-			
	Work No. 1D ²	Reg. 5(2)(j)		-			
	Work No. 1E ²	Reg. 5(2)(j)		-			
	Work No. 1F ²	Reg. 5(2)(j)		-			
2.4	Rights of Way, Streets and Access Plans						
	(Sheet 1 of 2) Rights of Way, Streets and Access Plan	Reg. 5(2)(k)		B			

¹ Note: In cases where multiple works packages overlap, a copy of individual works package plans have been provided alongside the Works Plans (and included within Document 2.3)
Abergelli Power
1.1.0 Introduction to the Applicant

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	(Sheet 2 of 2) Rights of Way, Streets and Access Plan	Reg. 5(2)(k)		B			
2.5	Existing Site Layout Plan	Reg. 5(2)(o)		-			
2.6	Indicative Site Layout Plan						
	Figure 1 - Indicative Layout Project Site	Reg. 5(2)(o)		D			
	Figure 2 - Indicative Layout Generating Equipment	Reg. 5(2)(o)		C			
	Figure 3 - Indicative Layout Access Road	Reg. 5(2)(o)		C			
2.7	Indicative Elevation Drawings						
	Figure 1 – Indicative Generating Equipment Elevation North	Reg. 5(2)(o)		B			
	Figure 2 – Indicative Generating Equipment Elevation South	Reg. 5(2)(o)		B			
	Figure 3 – Indicative Generating Equipment Elevation East	Reg. 5(2)(o)		B			
	Figure 4 – Indicative Generating Equipment Elevation West	Reg. 5(2)(o)		B			

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	Figure 5 – Indicative Gas Turbine Generator Plan and Elevations	Reg. 5(2)(o)		B			
	Figure 6 – Indicative Gatehouse Plan and Elevations	Reg. 5(2)(o)		B			
	Figure 7 – Indicative Emergency Generator Plan and Elevations	Reg. 5(2)(o)		B			
	Figure 8 – Indicative Control Room / Office / Workshop Plan and Elevations	Reg. 5(2)(o)		B			
	Figure 9 – Indicative Transformer Plan and Elevations	Reg. 5(2)(o)		B			
	Figure 10 – Indicative Demineralised Water Tank and Raw/Fire Water Tank Plan and Elevations	Reg. 5(2)(o)		B			
	Figure 11 – Indicative Fin Fan Cooler Plan and Elevations	Reg. 5(2)(o)		B			
2.8	Indicative Gas and Electrical Connection Plan	Reg. 5(2)(o)		A			
2.9	Hedgerow Plan	Reg. 5(2)(o)		001			
Category 3							

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Draft Development Consent Order							
3.1	Draft Proposed Development Consent Order	Reg. 5(2)(b)		0	1		
3.2	Draft Order Explanatory Memorandum	Reg. 5(2)(c)		0			
Category 4 Compulsory Acquisition Information							
4.1	Statement of Reasons	Reg. 5(2)(h)		0			
4.2	Funding Statement	Reg. 5(2)(h)		0			
4.3	Book of Reference	Reg. 5(2)(d)		0			
Category 5 Reports / Statements							
5.1.0	Consultation Report	Reg 5(2)(q) & s37(3)(c) PA 2008		0			

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5.1.1	Consultation Report Executive Summary (Welsh Translation)	Reg 5(2)(q) & s37(3)(c) PA 2008	0			
5.2.0	Consultation Report Appendices	Reg 5(2)(q) & s37(3)(c) PA 2008	0			
5.3	Statutory Nuisance Statement (s79(1) Environmental Protection Act 1990)	Reg. 5(2)(f)	0			
5.4	Details of Other Consents and Licences Required	Reg. 5(2)(q) and paragraph 4.10 of NPS EN-1	0			
5.5	No Significant Effects Report	Reg. 5(2)(g) and Conservation of Habitats and Species Regulations 2017	0	1		
Category 6						
Environmental Impact Assessment and Habitat Regulations Information						
6.1	Environmental Statement	Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact	0			

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		Assessment) Regulations 2009. Document Reference 6.1 includes within it the following: (i) Assessment of any effects on sites or features of nature conservation (etc), at ES Chapter 8 Ecology (Reg.5(2)(l)); and (ii) Assessment of any effects on sites or features of the historic environment, at Chapter 13 Historic Environment (Reg.(5)(2)(m)).					
6.2	Environmental Appendices Statement	Reg. 5(2)(a) and Infrastructure Planning		0			

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		(Environmental Impact Assessment) Regulations 2009. Document Reference 6.2 includes within it the following: Environmental impact scoping report and scoping opinion as Appendices 4.1 and 4.2 (Reg.5(2)(a)). Flood Consequences Assessment as Appendix 9.1 (Reg.5(2)(e)).					
6.3.0	Environmental Statement Figures	Reg. 5(2)(a), (5(2)(l) and 5(2)(m) & Infrastructure Planning (Environmental Impact		0			

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		Assessment) Regulations 2009.					
6.4.0	Environmental Statement Non-Technical Summary	Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.	0				
6.4.1	Environmental Statement Non-Technical Summary (Welsh Translation)	Reg. 5(2)(a) and Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.	0				
Category 7 Photographs							
7.1	Photomontages	Reg. 5(2)(q)	0				
7.2	Plan Identifying Photomontage Locations and Directions of Photographs	Reg. 5(2)(q)	0				

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7.3	Index of Photographs	Reg. 5(2)(q)		0			
Category 8 Not Used							
-	-	-		-	-	-	-
Category 9 Additional Information for Specific Types of Infrastructure							
9.1	Grid Connection Statement	Reg. 5(2)(p) and Reg. 6(1)(a)(i)		0			
9.2	Gas Connection Statement	Reg. 5(2)(p) and Reg. 6(1)(a)(ii)		0			
Category 10 Other Documents							
10.1.0	Planning Statement	Reg. 5(2)(q)		0			
10.1.1	Planning Statement Executive Summary (Welsh Translation)	Reg. 5(2)(q)		0			
10.2	Design Principles Statement	Reg. 5(2)(q)		0			

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10.3	Statement of Proposed Heads of Terms for an Agreement Pursuant to s106 of the TCPA 1990	Reg. 5(2)(q)	0			
Examination Documents						
Deadline 1						
Deadline 1	Applicant's Response to Relevant Representations	For Examination in accordance with the Rule 8 letter	-	-	-	
Deadline 1	Statement of Common Ground with City and County of Swansea Council	For Examination in accordance with the Rule 6 and 8 letters				
Deadline 1	Statement of Common Ground with Natural Resources Wales	For Examination in accordance with the Rule 6 and 8 letters				
Deadline 1	Statement of Common Ground with Dwr Cymru Cyfyngedig/Welsh Water	For Examination in accordance with the Rule 6 and 8 letters				

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Deadline 1	Statement of Common Ground with National Grid Electricity Transmission plc	For Examination in accordance with the Rule 6 and 8 letters				
Deadline 1	Statement of Common Ground with National Grid Gas plc	For Examination in accordance with the Rule 6 and 8 letters				
Deadline 1	Statement of Common Ground with Michael Edwards	For Examination in accordance with the First ISH and Rule 8 letter				
Deadline 1	Statement of Common Ground with Wynne Watkins and Redisplay Ltd	For Examination in accordance with the First ISH and Rule 8 letter				
Deadline 1	Responses to the ExA's First Written Questions	For Examination in accordance with the Rule 8 letter				

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Deadline 1	Written Summary of Oral Case put at the First Issue Specific Hearing	For Examination in accordance with the Rule 8 letter				
Deadline 1	Draft Development Consent Order (Revision 1) (Clean)	For Examination as indicated by the Applicant at the First ISH	0	1		
Deadline 1	Draft Development Consent Order (Revision 1) (Clean) Word Version	For Examination as indicated by the Applicant at the First ISH	0	1		
Deadline 1	Draft Development Consent Order (Revision 1) (Track Changes)	For Examination as indicated by the Applicant at the First ISH	0	1		
Deadline 1	Explanation of Amendments made to the Draft Development Consent Order	For Examination as indicated by the Applicant at the First ISH	0	1		
Deadline 1	Outline Construction Environment Management Plan (Revision 1) – superseding	For Examination to include updates in	0	1		

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Application Document Reference	Application Document Name	Statutory Requirement / Other for Document	Revision (submission version)	Examination Deadline 1	[To be completed if revision is submitted]	[To be completed if revision is submitted]
	Appendix 3.1 of the Environmental Statement, submitted as Appendix 5 to the Written Summary of Oral Case put at the First Issue Specific Hearing	response to relevant representations				
Deadline 1	Outline Landscape and Ecology Mitigation Strategy (Revision 1) – superseding Appendix 3.4 of the Environmental Statement	For Examination to include updates in response to relevant representations	0	1		
Deadline 1	Outline Drainage Strategy (Revision 1) – superseding Appendix E of the Flood Consequences Assessment	For Examination to include updates in response to relevant representations	0	1		
Deadline 1	No Significant Effects Report (Revision 1) (Clean) – submitted as Appendix 7 of the Applicant’s Responses to the ExA’s First Written Questions	For Examination in response to First Written Questions	0	1		
Deadline 1	No Significant Effects Report (Revision 1) (Clean) Word Version	For Examination in response to First Written Questions	0	1		

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Deadline 1	No Significant Effects Report HRA Screening Matrices (Revision 1) (Clean) Word Version	For Examination in response to First Written Questions	0	1		
Deadline 1	No Significant Effects Report (Revision 1) (Track Changes)	For Examination in response to First Written Questions	0	1		

Annex 2 – Outline Landscape and Ecology Mitigation Strategy (Revision 1) updates:

Section 4.3.2: Commitment to woodcrete bat and bird boxes as enhancement measures to be located where practicable around the Project Site. CCS requested to include bird and bat boxes as enhancement which would be secured through the LEMS.

Appendix A: Reptile Management Plan has been updated to include Amphibians. CCS requested a management plan for Amphibians. As the mitigation for Amphibians and Reptiles is similar, the Applicant has compiled a joint Reptile and Amphibian Plan (Herptiles).

Appendix D: Otter and Water Vole Management Plan has been updated to include pre-construction management of otter and water vole around watercourses at the request of NRW.

Appendix F: Invasive Non Native Species Management Plan has been updated to include text describing the method of removal for Rhododendron, as requested by CCS. It should be noted that the removal of Rhododendron is not expected to be required.

Appendix G Hedgerow Management Plan has been amended to include the method of 'remove, store, replace' for the Important Hedgerow along the Gas Connection (Hedge 'A' within the Hedgerow Survey Report (AS-008)). CCS noted that this would be an appropriate methodology for crossing the Important Hedgerow, and the Applicant is in agreement.

Appendix E [REDACTED] Management Plan: additional text has been added in relation to pre-construction survey checks.

Annex 3 – Outline Drainage Strategy (Revision 1) updates

Rainfall and Attenuation Calculations: Rainfall and attenuation calculations have been updated in Section 4.2 using FEH2013 data. The Outline Drainage Strategy submitted with the Application (Appendix E to the Flood Consequence Assessment (FCA), ES Appendix 9.1 (APP-040)) utilised the FEH99 design rainfall model to estimate rainfall within the Project Site catchment. The FEH99 design rainfall model was previously recommended for use as best practice however, this model has now been improved by the FEH2013 design rainfall model. At the request of CCS in its relevant representation and in line with current best practice, the FEH2013 design rainfall model has been utilised in the updated Outline Drainage Strategy. Section 4.2 has been updated to reflect the use of FEH2013 rainfall data and the Greenfield Runoff calculations and associated attenuation volume calculations in Section 4.3 have been updated accordingly. It is noted that the Standard Average Annual Rainfall (SAAR) value has reduced from 1600mm/yr to 1435mm/yr using the FEH2013 rainfall data. This results in a smaller Greenfield Runoff Rate for the Project Site. The methodology for calculating the required attenuation storage volumes at the Project Site has not changed and is in line with accepted best practice and is agreed with CCS. The updated Outline Drainage Strategy reports a larger required attenuation volume for the Project Site when compared to the FEH99 rainfall model¹ and also includes the attenuation storage calculation of the Above Ground Installation (AGI). The additional attenuation storage can be accommodated on the Project Site and does not alter the conclusions and design specified within the FCA.

Watercourse Crossings: Section 5 now includes information on watercourse crossings in response to CCS comments in its relevant representation. This section provides more detail to ensure that the methodology for crossing watercourses with the Electrical and Gas Connections has been considered.

Greenfield Runoff Rates: In Section 4.3 the Greenfield Runoff Rates and Storage Requirements for the Project Site have been updated following the use of the FEH2013 rainfall data, as described above. Table 4.3-1 has been updated to include the AGI area and Table 4.3-5 has been added within the attenuation storage calculations to ensure that all surface water runoff generated from the Project Site has been accounted for. A total Site Greenfield Runoff Rate has been specified for the Project Site, in agreement with CCS. Clarifications have been made in the Greenfield Runoff Rates Section that all Greenfield Runoff Rates have been calculated using the impermeable area and not the total site area. The methodology for calculating the attenuation storage has not changed but due to the re-calculation of the greenfield runoff rates using the FEH2013 rainfall data the required attenuation volumes have increased from the Outline Drainage Strategy submitted in May 2018.

The updated Draft DCO submitted at Deadline 1 references this updated Outline Drainage Strategy (see the definition in article 2). The Outline Drainage Strategy is a certified document under article 40 and requirement 6 secures that the final drainage design must be in accordance with it.

¹ The lowering of the SAAR results in the calculated Greenfield Runoff Rates being reduced. The reduced Greenfield Runoff Rate becomes the rate at which the attenuation storage area can discharge at, and as it is lower than previously calculated, the storage area cannot discharge as fast, resulting in an increased storage volume.